



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

August 22, 1995

Mr. Larry W. Schenk  
City Attorney  
City of Longview  
P.O. Box 1952  
Longview, Texas 75606-1952

OR95-799

Dear Mr. Schenk:

You have asked this office to determine if certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 32981.

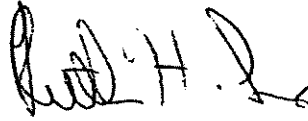
The City of Longview (the "city") received a request for information concerning a named police officer. You have provided most of the requested information, but assert that one document is excepted from disclosure under sections 552.101, 552.107, and 552.111. You have submitted that document to this office for review.

We understand you to argue that the document at issue is a confidential attorney-client communication under sections 552.101 and 552.107. In Open Records Decision No. 574 (1990) at 2, this office determined that the attorney-client privilege is properly asserted in connection with section 552.107 rather than section 552.101. Section 552.107(1) excepts from disclosure communications that reveal client confidences or the attorney's legal opinion or advice. Open Records Decision Nos. 589 (1991) at 1, 574 (1990) at 3, 462 (1987) at 9-11. Section 552.107(1) does not except from disclosure factual recounting of events or the documentation of calls made, meetings attended, and memos sent. Open Records Decision No. 574 (1990) at 5. Our review of the document at issue shows that that the entire document can be withheld from disclosure pursuant to section 552.107(1).

Because the information at issue can be withheld from disclosure under section 552.107(1), we do not need to address your section 552.111 argument.

We are resolving this matter with this informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and may not be relied upon as a previous determination under section 552.301 regarding any other records. If you have questions about this ruling, please contact our office

Yours very truly,

A handwritten signature in black ink, appearing to read 'Ruth H. Soucy', with a stylized flourish at the end.

Ruth H. Soucy  
Assistant Attorney General  
Open Government Section

RHS/LRD/rho

Ref.: ID#32981

Enclosures: Submitted documents

cc: Mr. Charles P. Connolly  
Merriman, Patterson & Allison  
P.O. Drawer 4237  
Longview, Texas 75606  
(w/o enclosures)